

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION**

UNITED STATES OF AMERICA and )  
THE STATE OF WISCONSIN, ) Case Action No.: 1:10-CV-00910  
Plaintiffs, ) Hon. William C. Griesbach  
v. )  
NCR CORPORATION, *et al.*, )  
Defendants. )

**NOTICE OF DEPOSITION**  
**PURSUANT TO FED. R. CIV. P. 30(b)(6)**

PLEASE TAKE NOTICE that, pursuant to the Federal Rules of Civil Procedure 30(b)(6), counsel for Defendant Menasha Corporation (“Menasha”) will take the deposition upon oral examination of Plaintiff The State of Wisconsin (the “State”).

Pursuant to Fed. R. Civ. P. 30(b)(6), the State shall designate one or more persons most knowledgeable and prepared to testify on behalf of the State about information known or reasonably available to the State concerning its claims and defenses in this civil action. Specific topics on which the State may be questioned are contained in Attachment A attached hereto.

The deposition will commence on August 31, 2012, at 10:00 a.m. at the offices of the Wisconsin Department of Justice, 17 West Main Street, Madison, Wisconsin, or another mutually agreed upon location, before a person duly authorized to administer oaths. The deposition will be videotaped and transcribed by stenographic means.

**PLEASE TAKE FURTHER NOTICE**, that pursuant to Fed. R. Civ. P. 30(b)(2), the State is required to produce and bring with it to the deposition any and all documents in its possession, custody or control, responsive to the requests in Attachment A.

All parties are invited to attend and to participate if so desired.

Dated: August 1, 2012

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## **ATTACHMENT A**

1. Movement of PCBs in the Lower Fox River and Green Bay (“the Site”), including but not limited to:
  - a. Processes that do or may cause movement of PCBs at the Site;
  - b. Efforts to sample PCBs at the Site;
  - c. Efforts to model the movement of PCBs at the Site, including but not limited to those modeling efforts listed in the items below:
    - i. Development and use of the Whole Lower Fox River Model (“wLFRM”) at the Site;
    - ii. Development and use of the Fox River Food Model (“FRFood”) at the Site;
    - iii. Development and use of all other models used in the decision making process at the Site; and,
    - iv. The decision to use the other models as part of the remedial decision process.
2. The preparation of Model Evaluation Workgroup Technical Memorandum 2g (July 23, 1999) (“Tech Memo 2g”);
3. Information received from the United States Army Corps of Engineers (“USACE”) that was considered for use in Tech Memo 2g;
4. The conclusions reached in Tech Memo 2g;
5. Dredging performed at the Site by any person, including but not limited to the USACE and any of its contractors;
6. The impacts of dredging on the location of PCBs at the Site;
7. The location of any sediment after dredging at the Site, including but not limited to:
  - a. The location(s) where resuspended sediments are located; and,
  - b. The location(s) where any open water disposal of sediments occurred;

8. The construction and operation of Confined Disposal Facilities (“CDFs”) at the Site, including but not limited to:
  - a. Any efforts by the State of Wisconsin or any of its departments or agencies to oppose placement of CDFs at the Site;
  - b. Any leaching or leaking of CDFs at the Site;
9. The impacts of CDFs on the location of PCBs in Green Bay; and,
10. The development of the cost estimates for the remedial alternatives evaluated at the Site, including the remedial alternatives selected in the Records of Decision in 2003 and 2007 for Operable Units 3-5, and the Explanation of Significant Differences issued in 2012.
11. The State of Wisconsin’s document productions in this civil action, including:
  - a. All the methods used to locate and produce documents and electronically stored information;
  - b. Searches performed; and,
  - c. Each location searched.

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UNITED STATES OF AMERICA and     )     Case Action No. 1:10-CV-00910

THE STATE OF WISCONSIN,             )     William C. Griesbach

                                )

Plaintiffs,                         )

v.                                     )

                                )

NCR CORPORATION, *et al.*,         )

                                )

Defendants.                         )

                                )

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 1, 2012, I electronically served the following document(s):

**NOTICE OF DEPOSITION  
PURSUANT TO FED. R. CIV. P. 30(b)(6)**

via email, by emailing a copy to the following:

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